

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

SEP 20 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JORDAN MARKS, individually and on  
behalf of all others similarly situated,

Plaintiff-Appellant,

v.

CRUNCH SAN DIEGO, LLC,

Defendant-Appellee.

No. 14-56834

D.C. No.

3:14-cv-00348-BAS-BLM

Southern District of California,  
San Diego

ORDER RESUBMITTING CASE

Before: CALLAHAN, BEA, and IKUTA, Circuit Judges.

This appeal is resubmitted as of September 13, 2018.